

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 758

Introduced by Senator Block

February 22, 2013

An act to ~~amend Section 21670.3 of~~ *add Section 21670.5 to* the Public Utilities Code, relating to airports.

LEGISLATIVE COUNSEL'S DIGEST

SB 758, as amended, Block. San Diego County Regional Airport Authority. *Authority: joint land use study.*

The State Aeronautics Act governs the creation and operation of airports in this state. The act provides for the establishment of county airport land use commissions to carry out various requirements, including the formulation of a comprehensive land use compatibility plan to provide for the orderly growth of airports and the area surrounding airports within the jurisdiction of the commission, and to safeguard the general welfare of the inhabitants within the vicinity of an airport and the public in general. The act requires each county in which there is an airport served by a scheduled airline, with certain exceptions, to establish an airport land use commission. The act requires the commission to include, within its airport land use compatibility plan, the area within the jurisdiction of the commission surrounding any military airport for specified purposes.

Existing law exempts the County of San Diego from the requirement to establish a commission and, instead, makes the San Diego County Regional Airport Authority responsible for the preparation, adoption, and amendment of an airport land use compatibility plan for each airport in San Diego County.

~~This bill would exempt the preparation, adoption, or amendment by the authority of an airport land use compatibility plan for the City of Coronado from the requirement that a land use compatibility plan include the area surrounding a military airport within the commission's jurisdiction. The bill instead would authorize the authority to include within the plan for the city the area within the jurisdiction of the authority surrounding any military airport.~~

This bill would postpone the preparation of an airport land use compatibility plan for the City of Coronado and the United States Naval Air Station North Island by the San Diego Regional Airport Authority as the airport land use commission until a joint land use study is completed by the City of Coronado, the United States Navy, and the San Diego Regional Airport Authority. By requiring the local airport land use commission to postpone the preparation of its airport land use compatibility plan, the bill would impose a state-mandated local program.

The bill would make legislative findings and declarations as to the necessity of a special statute for the City of Coronado.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 21670.3 of the Public Utilities Code is~~
- 2 ~~amended to read:~~
- 3 ~~21670.3. (a) Sections 21670 and 21670.1 do not apply to the~~
- 4 ~~County of San Diego. In that county, the San Diego County~~
- 5 ~~Regional Airport Authority, as established pursuant to Section~~
- 6 ~~170002, shall be responsible for the preparation, adoption, and~~
- 7 ~~amendment of an airport land use compatibility plan for each~~
- 8 ~~airport in San Diego County.~~

~~(b) Subdivision (b) of Section 21675 does not apply to the preparation, adoption, or amendment of an airport land use compatibility plan for the City of Coronado by the San Diego County Regional Airport Authority. The San Diego County Regional Airport Authority may include, within its airport land use compatibility plan for the City of Coronado, the area within the jurisdiction of the authority surrounding any military airport. This subdivision does not give the San Diego County Regional Airport Authority any jurisdiction or authority over the territory or operations of any military airport.~~

~~(e) The San Diego County Regional Airport Authority shall engage in a public collaborative planning process when preparing and updating an airport land use compatibility plan.~~

SECTION 1. Section 21670.5 is added to the Public Utilities Code, to read:

21670.5. Notwithstanding Sections 21670.3 and 21675, the San Diego Regional Airport Authority as the airport land use commission for San Diego County shall postpone the preparation of an airport land use compatibility plan (ALUCP) for the City of Coronado and the United States Naval Air Station North Island until a joint land use study (JLUS) is completed by the City of Coronado, the United States Navy, and the San Diego Regional Airport Authority. In preparing the ALUCP, the authority may incorporate the recommendations of the JLUS.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique island location of the City of Coronado and its proximity to large military installations.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.